

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 13, 1959
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Perry, White, Mayor Miller

Absent: Councilmen Bechtol, Palmer (as they were out of the city)

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police.

Invocation was delivered by LT. RUTH GAY, Salvation Army, 105 East 2nd Street.

The Mayor and Council greeted about 40 students from Central and South America, visting along with DR. JOE W. NEAL, Director International Office, University of Texas.

Councilman White moved that the Minutes of the Meeting of August 6th and of the Meeting of August 5th, 1959, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller

Noes: None

Absent: Councilmen Bechtol, Palmer

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A

COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING:

(1) LOT 1, BLOCK A, NORTHWAY CREST SECTION 3, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT. (2) LOTS 2 AND 3, BLOCK 15, HAPPY HOLLOW, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT. ALL OF SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD SUCH CHANGES; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller
 Noes: None
 Absent: Councilmen Bechtol, Palmer

The Council took notice that the following zoning application had been withdrawn by the applicant:

WILLIAM SHEA	4215 Avenue D	From "A" Residence To "GR" General Retail
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Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 11.29 ACRES OF LAND MORE OR LESS, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Perry, carried by the following vote:
 Ayes: Councilmen Perry, White, Mayor Miller
 Noes: None
 Absent: Councilmen Bechtol, Palmer

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller
 Noes: None
 Absent: Councilmen Bechtol, Palmer

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.369 OF ONE ACRE OF LAND BEING OUT OF AND A PART OF THAT CERTAIN 7.82 ACRE TRACT OF LAND KNOWN AS TRACT NO. 6 OF THE PARTITION OF THE WILLIAM LEGGINS HOME PLACE, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller
Noes: None
Absent: Councilman Bechtol, Palmer

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 25.94 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15 IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller
Noes: None
Absent: Councilmen Bechtol, Palmer

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 10.2 ACRES OF LAND MORE OR LESS, SAME BEING OUT OF AND A PART OF THE A. B. SPEAR SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Perry moved that

the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller
 Noes: None
 Absent: Councilmen Bechtol, Palmer

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"August 11, 1959

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, August 11, 1959 for the construction of a storm sewer in the following area: Grover Avenue from Justin Lane to Richcreek Road - Contract No. 59-D-20.

"Ed H. Page	\$29,021.00
Capital Construction Co., Inc.	29,146.60
Lee Maners	32,003.04
Karl Wagner, Inc.	32,674.45
Austin Engineering Company	33,621.80
Walter W. Schmidt	35,187.00
Bland Construction Company	38,614.90
City's Estimate	\$33,500.00

"I recommend that Ed H. Page with his low bid of \$29,021.00 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
 Director of Public Works"

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 11, 1959, for the construction of a storm sewer in Grover Avenue, from Justin Lane to Richcreek Road - Contract No. 59-D-20; and,

WHEREAS, the bid of Ed H. Page in the sum of \$29,021.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Ed H. Page in the sum of \$29,021.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to execute a contract on behalf of the City with Ed H. Page.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller
 Noes: None
 Absent: Councilmen Bechtol, Palmer

The City Manager submitted the following:

"August 12, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, August 11, 1959 at the Office of the Director of the Water and Sewer Department for the construction of an 8-inch Sanitary Sewer Main and Sewage Lift Station in Cedar Valley Addition. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Austin Engineering Company	\$28,471.65	Lift Station 40 Sewer Mains 60
Walter W. Schmidt	30,714.80	Lift Station 45 Sewer Mains 40
Bland Construction Company	30,777.30	Lift Station 40 Sewer Mains 35
Fairey-Simons, Incorporated	31,666.05	Lift Station 105 Sewer Mains 30
Karl Wagner, Incorporated	32,585.00	Lift Station 45 Sewer Mains 80
J. R. Barnes Engineering Company	32,593.50	Lift Station 45 Sewer Mains 90

"It is recommended that the contract be awarded to the Austin Engineering Company on their low bid of \$28,471.65, with a total of 100 working days.

"Yours truly,
(Sgd) S. A. Garza
Superintendent Sanitary Sewer
Division
(Sgd) Albert R. Davis
Director, Water and Sewer Department
Approved: W. T. Williams, Jr.
City Manager"

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 11, 1959, for the construction of an 8-inch Sanitary Sewer Main and Sewage Lift Station in Cedar Valley Addition; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$28,471.65 was the lowest and best bid therefor, and the acceptance of such bid has been

recommended by the Director, Water and Sewer Department and by the City Manager;
Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company in the sum of \$28,471.65 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to execute a contract on behalf of the City with Austin Engineering Company.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller

Noes: None

Absent: Councilmen Bechtol, Palmer

The City Manager submitted the following:

"August 11, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P.M. Tuesday, August 11, 1959 at the Office of the Director of the Water and Sewer Department for the relocation of the Sanitary Sewer Mains in Ben White Boulevard, between South Congress Avenue and Fredericksburg Road. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Karl Wagner, Incorporated	\$25,499.45	70
Austin Engineering Company	33,451.50	60
Bland Construction Company	47,239.90	65

"It is recommended that the contract be awarded to Karl Wagner, Incorporated on their low bid of \$25,499.45, with 70 working days.

"Yours truly,
(Sgd) S. A. Garza, Superintendent
Sanitary Sewer Division
(Sgd) Albert R. Davis, Director
Water and Sewer Department

Approved: W. T. Williams, Jr.
City Manager"

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 11, 1959, for the relocation of the sanitary sewer mains in Ben White Boulevard, between South Congress Avenue and Fredericksburg Road; and,

WHEREAS, the bid of Karl Wagner Incorporated, in the sum of \$25,499.45 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Bid of Karl Wagner, Incorporated, in the sum of \$25,499.45 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to execute a contract on behalf of the City with Karl Wagner, Incorporated.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller

Noes: None

Absent: Councilmen Bechtol, Palmer

The City Manager submitted the following:

"August 11, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P.M. Tuesday, August 11, 1959, at the Office of the Director of Water and Sewer Department for the relocation of Water Mains in Ben White Boulevard, between South Congress Avenue and Fredericksburg Road. The Bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Austin Engineering Company	\$36,121.80	70
Bland Construction Company	37,980.80	75
Karl Wagner, Incorporated	49,497.90	100
Glade Construction Company, Fort Worth Texas	56,440.80	75
J. R. Barnes Engineering Company	63,868.00	75

"It is recommended that the contract be awarded to the Austin Engineering Company on their low bid of \$36,121.80, with 70 working days.

"Yours truly,
(Sgd) Victor R. Schmidt, Jr.
Superintendent, Water Distribution
(Sgd) Albert R. Davis
Director Water and Sewer Department

Approved: W. T. Williams, Jr.
City Manager"

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 11, 1959, for the relocation of water mains in Ben White Boulevard, between South Congress Avenue and Fredericksburg Road; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$36,121.80 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company in the sum of \$36,121.80 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to execute a contract on behalf of the City with Austin Engineering Company.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller

Noes: None

Absent: Councilmen Bechtol, Palmer

The Mayor had the petition requesting that the use district classification of Lots 1 and 2, Block 1, Lincoln Gardens Section 2 (Tom Plummer property at 1413-1415 Webberville Road) be changed and amended from "C-1" Commercial District to "A" Residence District. No action was taken on the petition as two members of the Council were absent.

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. Donald Frances is the Contractor for the painting of a building located at 522 Congress Avenue and desires a portion of the sidewalk and street space abutting Lots 4, 5, 6, and the north 16 feet of Lot 3, Block 55, of the Original City of Austin, Travis County, Texas, during the painting of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said

J. Donald Frances, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles to the center line of Congress Avenue to a point 4 feet west of the west curb line; thence in a northerly direction and parallel with the center line of Congress Avenue approximately 154 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue to the northeast corner of the above described property; thence in a northerly direction and at right angles to the center line of West 6th Street to a point 4 feet south of the south curb line; thence in a westerly direction parallel with the center line of West 6th Street 160 feet to a point; thence in a southerly direction and at right angles to the center line of West 6th Street to the northwest corner of the above described property.

2, THAT the above privileges and allotment of space are granted to the said J. Donald Frances, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor will be permitted to erect and maintain a portable scaffold to be moved from time to time within the above described working space as the work requires, enclosing same with a suitable barricade and to protect pedestrians and cars from all harm or damage during the progress of the work.

(2) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(3) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 5, 1959.

(4) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(5) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2,000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Perry, White, Mayor Miller
Noes: None
Absent: Councilmen Bechtol, Palmer

The Assistant City Manager reported to the Council that the Boy Scouts wanted to have a "pot-luck dinner" at the Auditorium, and asked that the City waive its rights of not having food brought in and said that MR. JOSEPH had waived his rights. No action was taken.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the creation of an East - West thoroughfare to connect the Lockhart and Bastrop Highways with the Fredericksburg Road to provide for the free and safe flow of traffic between such highways and intersecting streets within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the creation and construction of said East - West thoroughfare, to be known as Ben White Boulevard; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

All of Lot 9, Block C of Ford Place No. 1, said Ford Place No. 1 being a subdivision by J. B. Ford and wife, Hattie Ford, of a portion of the Isaac Decker League, in the City of Austin, Travis County, Texas, according to a map or plat of said Ford Place No. 1 of record in Book 4 at page 265 of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Perry, White, Mayor Miller
Noes: None
Absent: Councilmen Bechtol, Palmer

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the creation of an East - West thoroughfare to connect the Lockhart and Bastrop Highways with the Fredericksburg Road to provide for the free and safe flow of traffic between such highways and intersecting streets within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the creation and construction of said East - West thoroughfare, to be known as Ben White Boulevard; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

A tract of land containing 0.65 of one acre of land out of and a part of Lot 1, Block C of Ford Place No. 1, said Ford Place No. 1 being a subdivision by the grantor herein of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Ford Place No. 1 of record in Book 4 at page 265 of the Plat Records of Travis County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the point of intersection of the proposed north line of Ben White Boulevard with the present east line of Manchaca Road, same being the west line of the said Lot 1, Block C of Ford Place No. 1, same also being the northwest corner of the herein described tract of land and from which point of beginning 5 nails at an angle point in the base line of Manchaca Road as established by the Department of Public Works of the City of Austin bears N 59° 57' W 18.45 feet and N 29° 56' E 325.60 feet;

THENCE, with the proposed north line of Ben White Boulevard S 59° 57' E 195.00 feet to an iron stake in the east line of the said Lot 1, Block C of Ford Place No. 1, same being the northeast corner of the herein described tract of land;

THENCE, with the east line of the said Lot 1, Block C of Ford Place No. 1 S 29° 47' W at 4.87 feet pass an iron stake at the southwest corner of Lot 4, Block C of the said Ford Place No. 1, in all 145.02 feet to an iron stake in the north line of Casey Street, same being the southeast corner of the said Lot 1, Block C of Ford Place No. 1;

THENCE, with the south line of the said Lot 1, Block C of Ford Place No. 1, same being the north line of Casey Street N 59° 57' W 195.37 feet to the

point of intersection of the north line of Casey Street with the present east line of Manchaca Road, same being the southwest corner of the said Lot 1, Block C of Ford Place No. 1;

THENCE, with the west line of the said Lot 1, Block C of Ford Place No. 1, same being the present east line of Manchaca Road N. $29^{\circ} 56'$ E. 145.02 feet to the point of beginning.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Miller

Noes: None

Absent: Councilmen Bechtol, Palmer

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the creation of an East-West thoroughfare to connect the Lockhart and Bastrop Highways with the Fredericksburg Road to provide for the free and safe flow of traffic between such highways and intersecting streets within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the creation and construction of said East-West thoroughfare, to be known as Ben White Boulevard; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

Three (3) tracts of land; Tract No. 1 being all of Lot 14, Block C, of Ford Place No. 1; Tract No. 2 being all of Lot 13, Block C of Ford Place No. 1; Tract No. 3 containing 0.052 of one acre of land out of Lots 7 and 12, Block C of Ford Place No. 1 said Ford Place No. 1 being a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Ford Place No. 1 of record in Book 4 at page 265 of the Plat Records of Travis County, Texas; which Lot 14 was conveyed to Roy B. Stewart et ux Gladys Lorina Stewart by Warranty Deed dated July 14, 1950, of record in Volume 1076, at page 250 of the Deed Records of Travis County, Texas; which Lot 13 was conveyed to Roy B. Stewart et ux Gladys Lorina Stewart by Warranty Deed dated June 15, 1950, of record in Volume 1076 at page 252 of the Deed Records of Travis County, Texas; which Lot 12 was conveyed to Roy B. Stewart et ux Gladys Lorina Stewart by Warranty Deed dated March 5, 1954, of record in Volume 1438 at page 522 of the Deed Records of Travis County, Texas; which Lot 7 was conveyed to Roy B. Stewart et ux Gladys Lorina Stewart by Warranty Deed dated January 6, 1955, of record in Volume 1537 at page 506 of the Deed Records of Travis County, Texas.

County, Texas; the said 0.052 of one acre of land out of Lots 7 and 12, Block C being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the proposed north line of Ben White Boulevard, same being in the curving west line of the said Lot 7, Block C, of Ford Place No. 1, same also being the east line of Merle Drive, said curve having an intersection angle of $270^{\circ} 00'$ and a radius of 60.00 feet and from which point of beginning another iron stake at the northwest corner of the said Lot 7 Block C of Ford Place No. 1, same being in the curving east line of Merle Drive bears $N 5^{\circ} 27' E 42.99$ feet;

THENCE, with the proposed north line of Ben White Boulevard $S 59^{\circ} 57' E 326.43$ feet to an iron stake at the point of intersection of the proposed north line of Ben White Boulevard with the west line of Russell Drive, same being the east line of the said Lot 12, Block C of Ford Place No. 1;

THENCE, with the east line of the said Lot 12, Block C of Ford Place No. 1, same being the west line of Russell Drive $S 29^{\circ} 27' W 10.17$ feet to an iron stake at the southeast corner of the said Lot 12, Block C of Ford Place No. 1;

THENCE, with the south line of the said Lot 12, Block C of Ford Place No. 1, same being the north line of the said Lot 13, Block C of Ford Place No. 1, $N 60^{\circ} 12' W 179.45$ feet to an iron stake at the southwest corner of the said Lot 12, Block C of Ford Place No. 1;

THENCE, with the west line of the said Lot 12, Block C of Ford Place No. 1, same being the east line of Lot 8, Block C of the said Ford Place No. 1 $N 29^{\circ} 44' E 8.85$ feet to a nail at the northeast corner of the said Lot 8, Block C of Ford Place No. 1, same being the southeast corner of the aforementioned Lot 7 Block C of Ford Place No. 1;

THENCE, with the south line of the said Lot 7, Block C of Ford Place No. 1, $N 60^{\circ} 19' W 147.10$ feet to an iron stake at the southwest corner of the said Lot 7, Block C of Ford Place No. 1, same being in the curving east line of Merle Drive, said curve having an intersection angle of $270^{\circ} 00'$ and a radius of 60.00 feet;

THENCE, following the curving west line of the said Lot 7, Block C of Ford Place No. 1 to the left an arc distance of 3.01 feet, the sub-chord of which arc bears $N 30^{\circ} 21' E 3.00$ feet to the point of beginning.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Perry, White, Mayor Miller
Noes: None
Absent: Councilmen Bechtol, Palmer

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and had been set for public hearing before the Council on September 17, 1959:

EDDIE JOSEPH, Owner BURRELL POPE, Lessee By Robert J. Potts	2004-06 Whitis Avenue	From "B" Residence To "LR" Local Retail
HOLIDAY REALTY COMPANY, INC., By Forest Pearson	7901-03 Lazy Lane 1316-1402 Anderson Lane	From "A" Residence To "LR" Local Retail
BONIFACIO CARDENAS	905 (909) Montopolis Drive	From "A" Residence To "GR" General Retail
MRS. VALVERDIA PHILLIPS	2201 Chestnut Avenue 2300-2304 East 22nd St.	From "A" Residence To "O" Office
GLYN DURHAM	1802-06 West 35th Street	From "A" Residence To "B" Residence
CHARLES C. BROCK By Jesse J. Bartlett	2219-2225 (2209-2211) South 1st Street	From "C" Commercial To "C-1" Commercial
O. C. HARPER, Owner MATTIE THOMPSON, Lessee	1199 Coletto Street 2201-03 East 12th Street	From "A" Residence To "B" Residence
STANDARD SERVICE CORP. By Herman Jones	1810 Briarcliff Blvd.	From "GR" General Retail To "C-1" Commercial
HERBERT & HERMAN AHREND By Herman Jones	4213-21 Duval	From "C" Commercial To "C-1" Commercial
CHESTER and MARY KOOCK By Herman Jones	2205-2303 South 5th Street	From "A" Residence To "LR" Local Retail

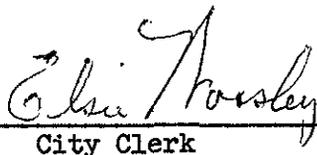
There being no further business, the Council adjourned at 11:30 A.M. subject to the call of the Mayor.

APPROVED



 Mayor

ATTEST:



 City Clerk